

**U.S. DEPARTMENT OF EDUCATION  
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES  
WASHINGTON, D.C. 20202-2740**

**APPLICATIONS FOR NEW GRANTS  
UNDER  
THE REHABILITATION SERVICES ADMINISTRATION:**

**VOCATIONAL REHABILITATION SERVICE PROJECTS PROGRAM  
FOR  
MIGRATORY AGRICULTURAL WORKERS AND  
SEASONAL FARMWORKERS WITH DISABILITIES**

**CFDA Number: 84.128G**

**FORM APPROVED  
OMB No. 1820-0018, Through 3/99  
ED FORM 424, 04/88**

**DATED MATERIAL - OPEN IMMEDIATELY**

**Closing Date: December 9, 1996  
CFDA Number 84.128G**

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of Education Contract and Grants Programs

REHABILITATION SERVICES ADMINISTRATION

Dear Applicant:

The Secretary invites applications for new awards for fiscal year (FY) 1997 under the Vocational Rehabilitation Service Projects Program for Migratory Agricultural and Seasonal Farmworkers with Disabilities (CFDA 84.128G). This program is authorized by Section 312 of the Rehabilitation Act of 1973, as amended (the Act), and implemented by 34 CFR Parts 369 and 375.

Prior to completing the grant application, please review the Notice Inviting Applications for New Awards included as an Attachment to this application packet. **The closing date for receiving applications under the Vocational Rehabilitation Service Projects for Migratory Agricultural and Seasonal Farmworkers with Disabilities competition is December 9, 1996.**

PROGRAM PURPOSE

The purpose of the Vocational Rehabilitation Service Projects Program for Migratory Agricultural Workers and Seasonal Farmworkers with Disabilities is to support projects or demonstrations for the provision of vocational rehabilitation services to individuals with disabilities who are migratory agricultural workers or seasonal farmworkers, and to members of their families (whether or not such family members are individuals with disabilities) who are with them, including maintenance and transportation of such individuals and members of their families where necessary to the rehabilitation of such individuals.

Department of Education Reinventing Government Initiative

As part of the Administration's Reinventing Government Initiative, the Department has eliminated the continuation application process. All applicants for multi-year projects now

are required to provide detailed budget information for each year of the total grant period requested. With the submission of detailed budget information in the initial application for the total project period, the need for the noncompeting continuation application is eliminated. An annual performance report on program outcomes and progress in achieving project goals and objectives will replace the continuation application.

#### APPLICATION PROCEDURES

This application kit contains information and the required forms for potential applicants to apply and compete for FY 1997 grant awards under this competition. Potential applicants are advised to read the materials carefully, particularly the information on the types of organizations that are eligible to apply for these grants, how to prepare an application, and the selection criteria under the program regulations, 34 CFR Parts 369 and 375, used by the reviewers to evaluate each application.

These instructions indicate that you must mail (postmarked) one original and two copies (**we would appreciate your including three additional copies of your application to facilitate the peer review process**) of your application on or before the application deadline date, to the following address: U.S. Department of Education, Application Control Center, Attention: CFDA Number 84.128G, 600 Independence Avenue, S.W., Washington, D.C. 20202-4725. For instructions regarding the transmittal of the application by hand or courier service see page 53 for Application Transmittal Instructions. **Note: The application cover sheet (Standard Form 424) for this competition under block # 10 must indicate the appropriate CFDA numeric and alpha letter: CFDA 84.128G, and the appropriate program name: Vocational Rehabilitation Service Projects Program for Migratory Agricultural Workers and Seasonal Farmworkers with Disabilities.**

To facilitate the peer review process, the program narrative must address the selection criteria used for this program in the order that such criteria appear in the relevant regulations. The selection criteria for the Vocational Rehabilitation Service Projects Program for Migratory Agricultural Workers and Seasonal Farmworkers with Disabilities are found at 34 CFR Part 375.30. Additionally, each proposal must include: a one-page abstract highlighting the purpose, target population to be served during the project period, planned goals and objectives, innovative strategies utilized, projected outcomes, and a plan or process for maintaining the service program after Federal funding for the project ends.

#### PROGRAM RULES AND REGULATIONS

The Federal regulations that apply to this competition can be found in 34 CFR Parts 369 and 375 as noted earlier in this letter. Further, grants under CFDA number 84.128G are subject to the requirements of the Education Department General Administrative Regulations (EDGAR), 34 CFR Parts 74, 75, 77, 79, 80, 81, 82, 85, and 86, which set forth general rules affecting the submittal, review, grant awarding, and post-award administration for Department of Education grant programs.

Applicants are reminded that the 1992 Amendments to the Rehabilitation Act require that all new applications must describe how the needs of individuals with disabilities from minority backgrounds will be addressed. Applicants must also provide assurance that individuals provided services must be advised of the availability and purposes of the State's Client Assistance Program, including information on means of seeking assistance under such program.

The Federal share of the cost of a project may not be more than 90 percent of the total cost of the project under this program.

#### INTERGOVERNMENTAL REVIEW FOR FEDERAL PROGRAMS

Applications under this program are to be submitted to the appropriate State agency for review as stipulated under Executive Order 12372 - Intergovernmental Review. If a State has established a process for this review, applicants must use the process described page 59 of this kit. Federally recognized Indian tribes are excluded from coverage under Executive Order 12372. The deadline for intergovernmental review for this program is February 10, 1997.

If you have any questions about the information in this application kit, please contact Mary E. Winkler at 202-205-8435. Individuals who use a telecommunications device for deaf individuals (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8:00 a.m. and 8:00 p.m., Eastern time, Monday through Friday, or in the Washington, D.C. area, at (202) 708-9300.

Thank you for your interest in this program.

Sincerely,

Thomas Finch, Ph. D.  
Acting Associate Commissioner  
Office of Developmental Programs

## **INTRODUCTION**

### **TITLE OF PROGRAM** (CFDA NO. 84.128G)

Vocational Rehabilitation Service Projects Program for Migratory  
Agricultural and Seasonal Farmworkers With Disabilities

### **TITLE AND PURPOSE:**

To provide grants for vocational rehabilitation services for  
migratory agricultural workers or seasonal farmworkers with  
disabilities.

### **AUTHORIZATION**

Section 312 of the Rehabilitation Act of 1973, as amended (the  
Act), and implemented by 34 CFR Parts 369 and 375.

### **ELIGIBLE APPLICANTS**

State Vocational Rehabilitation Agencies; nonprofit agencies  
working in collaboration with the State Vocational Rehabilitation  
Agencies; or local agencies administering vocational  
rehabilitation programs under written agreements with State  
Agencies.

### **KEY DATES**

- o Closing date: December 9, 1996
- o Anticipated award date: June 1, 1997 **(note: all dates except  
the closing date are subject to change. We offer this timetable  
for planning purposes only.)**

### **PROGRAM DESCRIPTION / ACTIVITIES FUNDED UNDER THIS PROGRAM**

Project activities include the development and implementation of  
special arrangements for providing vocational rehabilitation  
services to individuals with disabilities who are migratory  
agricultural workers or seasonal farmworkers and to members of

their families (whether or not disabled) who are with them, if these services are necessary to the vocational rehabilitation of the migratory agricultural worker or seasonal farmworker with disabilities.

- o Require that each applicant follow the requirements in Section 427 of the General Education Provisions Act (GEPA), by description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other beneficiaries with special needs (see page 69).

#### **PRIORITIES FOR THIS COMPETITION [none]**

#### **EXPECTED FUNDING LEVEL PER PROJECT PER YEAR**

Amounts are anticipated only; the U.S. Department of Education is not bound by the estimates given below.

- o Expected number of grants to institutions: 4
- o Anticipated average award: \$160,000
- o Anticipated Funding range: \$150,000 - \$175,000

#### **LIMITATIONS ON USE OF FUNDS AND / OR COST-SHARING REQUIREMENTS**

The Federal share may not be more than 90 percent of the total cost of a project under this program.

#### **IMPORTANT NOTICES / RECENT CHANGES IN LEGISLATION**

- o Require that each applicant for a new project demonstrate in its application how it will address the needs of individuals with disabilities from minority backgrounds (section 21 of the Act). Before your application can be reviewed, it must include this description. Applications for which this information is not received will not be reviewed.

- o Require that each grantee (funded applicant) that provides services to individuals with disabilities must advise those individuals, or as appropriate, the parents, family members, guardians, advocates, or authorized representatives of those individuals, of the availability and purposes of the State Client

Assistance Program (CAP), including information on means of seeking assistance under such program (Section 20 of the Act). A list of State CAPs may be obtained by leaving your name and address on the voice mail system at (202) 205-9343.

o As part of the Administration's Reinventing Government Initiative, the Department has eliminated the continuation application process. All applicants for multi-year projects now are required to provide detailed budget information for each year of the total grant period requested. With the submission of detailed budget information in the initial application for the total project period, the need for the noncompeting continuation application is eliminated. An annual performance report on program outcomes and progress in achieving project goals and objectives will replace the continuation application.

**CONTACT PERSON(S)**

Mary D. Winkler

Telephone: 202-205-8435; Fax: 202-205-9772

**U.S. Department of Education Office of Special Education and  
Rehabilitative Services**

**REHABILITATION SERVICES ADMINISTRATION  
INSTRUCTIONS FOR APPLICATION FOR FEDERAL ASSISTANCE**

(Non-Construction Program)

The enclosed forms shall be used by all applicants for Federal Assistance under all Rehabilitation Services Administration programs. A separate application must be submitted for each grant sought. No grant may be awarded unless the completed application forms have been received. If an item does not appear to be relevant to the assistance requested, write "NA" for not applicable.

This application consists of four parts. **These parts are organized in the same manner that the submitted application should be organized.** These parts are as follows:

Part I - Federal Assistance Application Face Page

Part II- Budget Information



### Part III-Program Narrative

### Part IV -Assurances, Certifications, and Disclosures

Each submitted application must include an index or table of contents and a one-page project abstract. Pages should be consecutively numbered.

Public reporting burden for this collection of information is estimated to vary from 25 to 60 hours per response, with an average of 40 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Under terms of the Paperwork Reduction Act of 1980, as amended, and the regulations implementing that Act, the Department of Education invites comment on the public reporting burden in this collection of information. You may send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, Information Management and Compliance Division, Washington, D.C. 20202-4651; and to the Office of Management and Budget, Paperwork Reduction Project 1820-0018, Washington, D.C. 20503.

(Information collection approved under OMB control number 1820-0018. Expiration date: September 30, 1996.)  
Prescribed by OMB Circular A-102

### PART I - FEDERAL ASSISTANCE APPLICATION FACE PAGE

Part I of this application consists of the standard application face page for Federal assistance (SF 424) and the concomitant instructions. Standard instructions for completing the SF 424 form immediately follow the form. Additionally, the supplemental instructions provided below are to be used in lieu of or along with the standard instructions for the following items:

Item 1 - Non-Construction

Item 5(d) - Enter the name and telephone number of the project director (or principal contact if project director has not been identified).

Item 6 - If the applicant organization has been assigned a Department of Education (ED) entity number consisting of the IRS employer identification number prefixed by "1" and suffixed by a

two-digit number, enter the full ED entity number in block 6.

Item 8 - Preprinted.

Item 10 - If the CFDA number and suffix letter are not preprinted, please insert the CFDA number and suffix letter of the program, priority, or training discipline under which the application is being submitted. Where necessary, a listing of CFDA numbers and suffix letters are provided on the following page.

Item 16 - All of the programs covered by this application package are subject to Executive Order 12372, with the exception of the Vocational Rehabilitation Service Projects for American Indians with Disabilities. Separate instructions and information governing the procedures to be followed for programs subject to Executive Order 12372 are included in the application package for those programs, including a list of those states which have established a process, designated a single point of contact, and selected these programs for review subject to the requirements of Executive Order 12372. For those programs covered by Executive Order 12372, provide the name of the State Agency to which the application was submitted for review, and include a copy of the agency's comments or, if comments have not been received, a copy of the cover letter used to transmit the application to the State agency. If the program is covered by Executive Order 12372 but the responsible state has not selected the program for review, please mark the "Not Selected" box.

APPLICATION FOR FEDERAL ASSISTANCE		2. Date Submitted		Application Identifier	
1. TYPE OF SUBMISSION __ Construction __ Non-Construction		Preapplication __ Construction __ Nonconstruction		3. DATE RECEIVED BY STATE State Application Identifier	
				4. DATE RECEIVED BY FEDERAL AGENCY Federal Identifier	
5. APPLICANT INFORMATION					
Legal Name			Organizational Unit		
Address (Give city, county, state, and zip code)			Name and telephone number of the person to be contacted on matters involving this application (give area code)		
6. Employer Identification Number ____ - _____			7. TYPE OF APPLICATION:(enter appropriate letter here) ____ A State                      F Intermunicipal                      K Indian tribe B County                      G Special District                      L Individual C Municipal                      H Independent School Dist. M Profit Organization D Township                      I State Cont. I of HL                      N Other (Specify) <u>Private</u> E Interstate    J Private University                      Non-Profit		
8. TYPE OF APPLICATION <u>X</u> New      __ Continuation      __ Revision If Revision, enter appropriate letter(s) here ____ A Increase Award      B Decrease Award      C Increase Duration D Decrease Duration      Other (specify)			9. NAME OF FEDERAL AGENCY		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER 84. _____ Title:			11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:		
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):					
13. PROPOSED PROJECT:			14. CONGRESSIONAL DISTRICTS OF:		
Start Date		Ending Date	a. Applicant		b. Project

15. ESTIMATED FUNDING		16. IS APPLICANT SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$ .00	a. YES THIS PREAPPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE _____ b. NO ___ PROGRAM IS NOT COVERED BY E.O. 12372 ___ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
b. Applicant	\$ .00		
c. State	\$ .00		
d. Local	\$ .00		
e. Other	\$ .00		
f. Program Income	\$ .00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? ___ Yes If "Yes" attach an explanation ___ No	
g. TOTAL	\$ .00		
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.			
19. a. Typed Name of Authorized Representative		b. Title:	c. Telephone number:
d. Signature of Authorized Representative			e. Date Signed

Previous Editions Not Usable Standard Form 424 REV 4-88) Prescribed by OMB Circular A-102

## Part II - Budget Information - **INSTRUCTIONS FOR ED FORM NO. 524**

### General Instructions

This form is used to apply to individual U. S. Department of Education discretionary grant programs. Unless directed otherwise, provide the same budget information for each year of the multi-year funding request. Pay attention to applicable specific instructions, if attached.

### Section A - Budget Summary U. S. Department of Education Funds

All applicants must complete Section A and provide a breakdown by the applicable budget categories shown in lines 1-11.

Lines 1-11, columns (a)-(e):

For each project year for which funding is requested, show the total amount requested for each applicable budget category.

Lines 1-11, column (f):

Show the multi-year total for each budget category. If funding is requested for only one project year, leave this column blank.

Line 12, column (a)-(e):

Show the total budget request for each project year for which funding is requested.

Line 12, column (f):

Show the total amount requested for all project years. If funding is requested for only one year, leave this space blank.

### Section B - Budget Summary Non-Federal Funds

If you are required to provide or volunteer to provide matching funds or other

non-Federal resources to the project, these should be shown for each applicable budget category on lines 1-11 of Section B.

Lines 1-11, columns (a)-(e):

For each budget year for which matching funds or other contributions are provided, show the total contribution for each applicable budget category.

Lines 1-11, column (f):

Show the multi-year total for each budget category. If non-Federal contributions are provided for only one year, leave this column blank.

Line 12, columns (a)-(e):

Show the total matching contribution for each project year.

Instructions for ED Form No. 524 (Cont.)

Line 12, column (f):

Show the total amount to be contributed for all years of the multi-year project. If non-Federal contributions are provided for only one year, leave this space blank.

#### Section C - Other Budget Information

Pay attention to applicable program specific instructions, if attached

1. Provide an itemized budget breakdown, by project year, for each budget category listed in Sections A and B.

2. If applicable to this program, enter the type of indirect rate (provisional, predetermined, final, or fixed) that will be in effect during the funding period. In addition, enter the estimated amount of the base to which the rate is applied, and the total indirect expense.

3. If applicable to this program, provide the rate and base on which fringe benefits are calculated.

4. Provide other explanations or comments you deem necessary.

#### SECTION D - BUDGET DETAIL/NARRATIVE

Attach separate sheets to fully explain and justify the following budget categories in support of the **FEDERAL** funding request. Include sufficient detail to facilitate determination as to allowability, relevance to the project, and cost benefits.

1. Salaries and Wages: Show the salary and wages, title, and time commitment of all persons charged to the project. Consultant fees and expenses must be included on Line 7.
2. Fringe Benefits: Include contributions for Social Security, employee insurance, pension plans, etc. Leave blank if fringe benefits applicable to direct salaries and wages are treated as part of the indirect cost rate.

3. Travel: Itemize the amount requested for travel of employees only. Travel of consultants, trainees, etc. should not go on this line, nor should local transportation costs for project staff (i.e., where no out-of-town trip is involved); these costs should be listed under the category of "Other".

While all travel must be fully justified, foreign travel should be separately identified and justified. No foreign travel will be authorized under the grant unless prior approval is obtained.

4. Equipment: List nonexpendable personal property that has a useful life of more than two years and an acquisition cost of \$500 or more per unit. However, consistent with institution policy, lower limits may be established. List items of equipment in the following format: Item, Number of Units, Cost per Unit, Total Cost.

Fully justify the need for each item of equipment.

5. Supplies: Include the cost of consumable supplies and materials to be used in the project. These should be items which cost less than \$300 per unit with a useful life of less than two years.
6. Contractual: Show all amounts for each of the following:  
(1) procurement contracts (except those which belong on other lines such as supplies and equipment listed above) and (2) grant payments to secondary recipient organizations such as delegate agencies, affiliates, cooperating institutions, political subdivisions, etc. Indicate the name of the agency, organization, or individual that is expected to receive each proposed contract. This should be supported in Part III - Program Narrative.

**Note:** Whenever the applicant intends to delegate part or all of the program to another agency, the applicant must submit, if available, a copy of the proposed contract or grant payment and any other supporting documentation detailing the activity and required budget of each delegate agency. If the proposed contract/grant payment has not as yet been advertised and/or negotiated, the applicant should provide any basis available that was used in developing the proposed contract/grant payment costs. Delegate agencies are not required to submit separate budget information for their portion of the total contractual budget. The total cost of all such agencies will be part of the amount shown on Line 6.

7. Other: Provide an itemized list of all remaining direct costs not clearly covered by lines 1-6 above. Examples are computer use charges, trainee stipends, tuition and fees and trainee travel costs, space or equipment rental, consultant costs, communication costs, rental of space, utilities and custodial services, printing materials, and local transportation.

For consultant expenses, give the total number of consultants that will work on the project and their costs (fees, per diem, and travel). Provide the basis for the determination of the rate identified for consultant costs for which Federal funds are requested. The justification should demonstrate how the consultant costs are reasonable, customary and consistent with the established institutional/organizational/agency policy governing consultant

costs.

8. Total Direct Costs: Total lines 1 through 7.
9. Total Indirect Costs: Indirect costs are those costs of an organization that are not readily identifiable with a particular project or activity but are necessary for the general operation of the organization and the conduct of its activities.

Indicate your indirect cost rate and the amount of indirect costs to be charged to the project. If no indirect costs are requested, enter "none." This line should be used only when the applicant (except local governments) has an indirect cost rate approved by the Department of Education (ED) or another Federal agency. Local governments shall enter the amount of indirect costs determined in accordance with ED requirements.

10. Total Project Costs: Total lines 8 and 9.

In addition, provide an itemized list of the sources of all **NON-FEDERAL** funds which ties to the amounts reflected in Section B.

U. S. DEPARTMENT OF EDUCATION  
BUDGET INFORMATION  
NON-CONSTRUCTION PROGRAMS

OMB Control No. 1875-0102

Expiration Date: 9/30/95

Name of Institution/Organization:

Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

SECTION A - BUDGET SUMMARY

U.S. DEPARTMENT OF EDUCATION FUNDS

Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Equipment						
5. Supplies						
6. Contractual						
7. Construction						
8. Other						
9. Total Direct Costs (lines 1-8)						
10. Indirect Costs						
11. Training Stipends						
12. Total Costs (lines 9-11)						

Name of Institution/Organization:	Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.
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SECTION B - BUDGET SUMMARY: NON-FEDERAL FUNDS (**MATCHING FUNDS: 10% REQUIRED**)

NON-FEDERAL FUNDS

Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Equipment						
5. Supplies						
6. Contractual						
7. Construction						
8. Other						
9. Total Direct Costs (lines 1-8)						
10. Indirect Costs						
11. Training Stipends						
12. Total Costs (lines 9-11)						

SECTION C - OTHER BUDGET INFORMATION (see instructions)





### **PART III - PROGRAM NARRATIVE SERVICE PROJECTS**

Prepare the Program Narrative in accordance with the following instructions. Before preparing the Program Narrative, applicants should carefully review the program regulations contained in this application package, paying special attention to the selection criteria. The Program Narrative must respond to the special emphasis of the specific program for which grant support is being requested and the selection criteria identified in the program regulations. Applicants should address the selection criteria in the same order as they appear in the program regulations.

In addition, applicants should read the applicable parts of the Education Department General Administrative Regulations (EDGAR), 34 CFR. These regulations set forth all general rules affecting application submittal, review, grant award, and post-award administration for Department of Education grant programs.

**NOTE:** Applicants should refer back to the "Dear Applicant" letter. It cites the appropriate sections of the program regulations and the applicable parts of EDGAR.

Since applications must be duplicated for distribution to reviewers, printed material should be legible, appear only on one side of each page, and be double spaced. To ensure that printed material is legible, the use of a high quality printer, with a 10 pitch or larger typeface, in the preparation of your application is strongly urged. Use standard 8 1/2 x 11 inch paper, white in color, and free from tabs. Also, use spring clips or rubber bands to hold the application together. Do not use binders, folders, and staples as they must be removed before duplicating applications.

Please limit the Program Narrative to 35 pages, double-spaced, and number pages consecutively. The narrative should be written concisely. Only the required information should be submitted. If appendices or other supplemental materials are included, they must be kept to a minimum and must substantiate what is proposed in the narrative., e.g., the results of a needs survey or letters of commitment from organizations that will have significant involvement with the project. All vitae should be limited to one page in length showing the source and date of earned degrees, experience relevant to working with individuals who are disabled and the person's direct relationship to the project, e.g., how the person will function in the project.

The Program Narrative should begin with an overview statement (one page abstract) that summarizes the purpose/intent of project, the goals and objectives, the target population, the impact of project, and the expected outcomes or benefits.

The Program Narrative must respond to the selection criteria in the same order as they appear in the program regulations for each priority. The proposal must address the following points:

## 1. Objectives and Need for this Assistance

Identify the specific need(s) which the proposed project is intended to meet and indicate why the project requires Federal support. State the principal and subordinate objectives of the project and show how the proposed project relates to the mission of the State/Federal vocational rehabilitation program, the specific discretionary program for which support is being requested, and the service needs of the geographic area to be served. Indicate the potential target or client population to be served. Objectives of the project should be (1) clearly and measurably defined in terms of intended results or outcomes within a specified time frame; and (2) based on identified needs, priorities, and related resources. Major tasks and activities should be carefully delineated. These in turn should be broken down into action steps to be completed by specified dates. Relevant needs assessment studies by the applicant or others should be footnoted or included with the application.

## 2. Results or Benefits Expected

Identify the significant observable, measurable results expected to be achieved during the period of the project. Productivity, for example is generally measured in such terms as the number of disabled persons served, the number rehabilitated and/or assisted to live more independently, improvement in work or independent living status following receipt of services, new services or improved service delivery systems, and/or increased participation by other kinds of program improvements. Expectations should be projected for each year of the project, including estimates and types of severely handicapped persons to be served. Show how project activities will enhance the quality of life and participation by disabled persons in family/community activities or in gainful employment.

## 3. Approach

### a. Design and Methodology

Describe the overall plan for the project, organization of the various project elements that affect achievement of project objectives, efficiency and economy of effort, provision for obtaining appropriate and reliable data for evaluation and the appropriateness of the project design.

Describe the methodology to be employed in accomplishing objectives, including action steps; identify and specify in detail the operational procedures, overall strategy, management, and plans for efficiency and effectiveness of operations. Both the work to be performed and available resources should clearly relate to the requested budget as well as resource commitments made by others including anticipated in-kind or volunteer assistance. Describe any innovative, unique, or exemplary activities that have been or will be pursued, such as formation of interagency or consumer advisory groups, which will have a positive impact on project effectiveness, efficiency, or economy, and improved service delivery to disabled persons.

The plan of work sequentially relates to the action steps and major functions and give a timetable for their completion. It is recommended that a timetable, GANT Chart or Pert Chart graphically representing the sequence and relationship of project activities be included in the proposal. Provide for each function or activity a quantitative quarterly projection of the accomplishments to be achieved in terms such as the number and type of clients to be served. When accomplishments cannot be quantified, list them in chronological order to show the schedule of accomplishments and their target dates.

#### b. Staff

Describe the qualifications of the project director and key staff on the project. Indicate the time that the project director and other key personnel will commit to the project.

For each of the key staff not identified at the time of application, provide (in lieu of a qualifications statement) a job description or the qualifications sought for the position. Include a statement of the recruitment plan for a project director and any key staff to be employed, and an estimate of when the recruitment of these staff will take place.

#### c. Facilities and Resources

Describe the facilities that will be used for the project. Include such items as key equipment to be used, amount of floor space available, training capacity, etc. Indicate the extent to which the facilities and other resources used are free of architectural, communications, and other barriers and are fully accessible to the handicapped. Validate the organization's capability to perform the proposed project activity. Include past experiences or anticipated capability with regard to the objectives.

Provide a table of the organization and a list of the specific duties of the professional staff as well as the time each is to spend on the project.

#### d. Commitments from Collaborating Organizations

Participation of other organizations, financially or otherwise, enhances the viability of the proposed project. Specific commitments should be clearly documented, preferably in writing, and submitted with the application. This may include cooperating public and private agencies, commercial or industrial entities, institutions of higher education, and others. It also may include individuals such as consultants or groups of

individuals that advise or help determine policy.

Identify specific contributions to the project by the applicant, and collaborating organizations including in-kind contributions, cost sharing, donations, etc.

#### 4. Evaluation

All applications must contain a plan for project evaluation which is based on an objective and quantifiable methodology to evaluate progress toward and achievement of project objectives. The purpose of this section is to specify the evaluation plan and methodology to be used. The evaluation plan should be phased in with other project tasks to ensure that interim products can be reviewed and comments fed back to project staff in time to influence the conduct of the project. The Evaluation Plan must include:

- (1) An annual evaluation of the following elements as required under 75.590 of EDGAR:
  - (a) The grantee's progress in achieving its stated objectives;
  - (b) The effectiveness of the project in meeting the purposes of the program;
  - (c) The effect of the project on persons being served by the project.
- (2) An annual assessment of the following:
  - (a) The types of services provided;
  - (b) The cost of services provided;
  - (c) The number of clients served by disability, race, national origin, gender, and age;
  - (d) The number of clients with a severe disability served;
  - (e) The client outcomes obtained.

**NOTE:** Funded projects will be required to report evaluation findings in the annual performance report and in the final report at the conclusion of the project.

#### **The Rehabilitation Act Amendments of 1992:**

1. Delete the authority to fund construction costs as part of a services project under the Special Projects and Demonstrations program in section

311(a)(1);

2. Require that each applicant for a new project demonstrate in its application how it will address the needs of individuals with disabilities from minority backgrounds (section 21 of the Act). Before your application can be reviewed, it must include this description. Applications for which this information is not received will not be reviewed.
3. Require that each grantee (funded applicant) that provides services to individuals with disabilities must advise those individuals , or as appropriate, the parents, family members, guardians, advocates, or authorized representatives of those individuals, of the availability and purposes of the State Client Assistance Program (CAP), including information on means of seeking assistance under such program (section 20 of the Act). A list of State CAPs may be obtained by leaving your name and address on the voice mail system at (202) 205-9343.

**IF APPLICABLE, PROVIDE THE FOLLOWING INFORMATION:**

- (a) If a rehabilitation project is in its final year of support and refunding for a new project is being requested, provide a progress report that includes a discussion of all accomplishments to date in achieving project objectives and a schedule of accomplishments or milestones anticipated with the new funding request.
- (b) A listing showing the Federal Domestic Assistance Catalog number, status and amount of each project where there is related previous, pending or anticipated assistance.

**PART 369--VOCATIONAL REHABILITATION SERVICE PROJECTS**  
**Subpart A--General**

Sec.

- 369.1 What are the Vocational Rehabilitation Service Projects?
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- 369.20 What are the application procedures for these programs?
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- 369.30 How does the Secretary evaluate an application?
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Authority: 29 U.S.C. 711(c), 732, 750, 775, 777(a)(1), 777(a)(3), 777(b), 777f and 795g, unless otherwise noted.

Source: 46 FR 5417, Jan. 19, 1981, unless otherwise noted.

## **Subpart A--General**

### **§ Sec. 369.1 What are the Vocational Rehabilitation Service Projects?**

- (a) These programs provide financial assistance for the support of special project activities for providing vocational rehabilitation services and related services to individuals with disabilities and other persons.
- (b) The Secretary awards financial assistance through the following programs--
  - (1) Vocational Rehabilitation Service Projects for American Indians with Disabilities (34 CFR Part 371).
  - (2) Comprehensive Rehabilitation Centers (34 CFR Part 372).
  - (3) Special Projects and Demonstrations for Providing Vocational Rehabilitation Services to Individuals with Disabilities (34 CFR Part 373).
  - (4) Special Projects and Demonstrations for Making Recreational Activities Accessible to Individuals with Disabilities (34 CFR Part 374).
  - (5) Vocational Rehabilitation Service Projects for Migratory Agricultural and Seasonal Farmworkers with Disabilities (34 CFR Part 375).
  - (6) Special Projects and Demonstrations for Providing Transitional Rehabilitation Services to Youths with Disabilities (34 CFR Part 376).
  - (7) Projects for Initiating Special Recreation Programs for Individuals with Disabilities (34 CFR Part 378).
  - (8) Projects with Industry (34 CFR Part 379).

(Authority: Secs. 112, 130, 305, 308, 311a, 311(a)(3), 311(a)(4), 312, 316, and 621 of the Act; 29 U.S.C. 732, 750, 775, 776, 777(a)(1), 777(a)(3), 777(a)(4), 777(b), 777f, and 795g)

[46 FR 5417, Jan. 19, 1981, as amended at 50 FR 9962, Mar. 12, 1985; 51 FR 3895, Jan. 30, 1986; 53 FR 17142, 17143, May 13, 1988; 59 FR 8335, Feb. 18, 1994]

### **§ Sec. 369.2 Who is eligible for assistance under these programs?**

- (a) Vocational rehabilitation service projects for American Indians with disabilities. Governing bodies of Indian tribes and consortia of those governing bodies located on Federal and State reservations are eligible for assistance to support projects for providing vocational rehabilitation services to American Indians with disabilities.

(Authority: Sec. 130 of the Act; 29 U.S.C. 750)

- (b) Comprehensive rehabilitation centers. State vocational rehabilitation units are eligible for assistance to support comprehensive rehabilitation center projects.

(Authority: Sec. 305 of the Act; 29 U.S.C. 775)

- (c) Special projects and demonstrations for providing vocational rehabilitation services to individuals with disabilities. States and public



and other nonprofit agencies and organizations are eligible for expanding or otherwise improving vocational rehabilitation services to individuals with disabilities.

(Authority: Sec. 311(a)(1) of the Act; 29 U.S.C. 777(a)(1))

(d) Special projects and demonstrations for making recreational activities accessible to individuals with disabilities. States and public and other nonprofit agencies and organizations are eligible for assistance to support special projects and demonstrations for making recreational activities accessible to individuals with disabilities.

(Authority: Sec. 311(a)(3) of the Act; 29 U.S.C. 777(a)(3))

(e) Vocational rehabilitation service projects for migratory agricultural workers and seasonal farmworkers with disabilities. State vocational rehabilitation agencies, local agencies administering vocational rehabilitation programs under written agreements with State agencies, and nonprofit agencies working in collaboration with State vocational rehabilitation agencies are eligible for assistance to support projects for providing vocational rehabilitation services to migratory agricultural workers or seasonal farmworkers with disabilities.

(Authority: Sec. 312 of the Act; 29 U.S.C. 777(b))

(f) Projects for initiating special recreation programs for individuals with disabilities. State and other public agencies and private nonprofit agencies and organizations are eligible for assistance to support projects for initiating special recreation programs for individuals with disabilities.

(Authority: Sec. 316 of the Act; 29 U.S.C. 777(f))

(g) Projects with industry. Any designated State unit, labor union, community rehabilitation program provider, Indian tribe or tribal organization employer, trade association, or other agency or organization with the capacity to create and expand job and career opportunities for individuals with disabilities is eligible for assistance to support a project with industry.

(Authority: Sec. 621 of the Act; 29 U.S.C. 795(g))

(h) Special projects and demonstrations for providing transitional rehabilitation services to youths with disabilities. State and other public and nonprofit agencies and organizations are eligible for assistance under this program.

(Authority: Sec. 311(c) of the Act; 29 U.S.C. 777a(c))

[46 FR 5417, Jan. 19, 1981, as amended at 50 FR 9962, Mar. 12, 1985; 51 FR 3895, Jan. 30, 1986; 53 FR 17142, 17143, May 13, 1988; 59 FR 8335, Feb. 18, 1994]

**§ Sec. 369.3 What regulations apply to these programs?**

The following regulations apply to the programs listed in § Sec. 369.1(b):

- (a) The Education Department General Administrative Regulations (EDGAR) as follows:
- (1) 34 CFR part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations).
  - (2) 34 CFR part 75 (Direct Grant Programs).
  - (3) 34 CFR part 77 (Definitions that Apply to Department Regulations).
  - (4) 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities); except the Part 79 does not apply to the Vocational Rehabilitation Service Program for American Indians with Disabilities.
  - (5) 34 CFR part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).
  - (6) 34 CFR part 81 (General Education Provisions Act--Enforcement).
  - (7) 34 CFR part 82 (New Restrictions on Lobbying).
  - (8) 34 CFR part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).
  - (9) 34 CFR part 86 (Drug-Free Schools and Campuses).
- (b) The regulations in this Part 369.
- (c) The regulations in 34 CFR Parts 371, 372, 373, 374, 375, 376, 378, and 379, as appropriate.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

[51 FR 3895, Jan. 30, 1986, as amended at 55 FR 21714, May 25, 1990; 59 FR 8335, Feb. 18, 1994]

**§ Sec. 369.4 What definitions apply to these programs?**

(a) The following definitions in 34 CFR Part 77 apply to the programs under Vocational Rehabilitation Service Projects--

Applicant  
Application  
Award  
Budget Period  
Department  
EDGAR  
Nonprofit  
Profit  
Project Period

Public  
Secretary  
Work of Art

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

(b) The following definitions also apply to programs under Vocational Rehabilitation Service Projects:

Act means the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), as amended.

Community rehabilitation program means a program that provides directly or facilitates the provision of vocational rehabilitation services to individuals with disabilities, and that provides, singly or in combination, for an individual with a disability to enable the individual to maximize opportunities for employment, including career advancement--

- (1) Medical, psychiatric, psychological, social, and vocational services that are provided under one management;
- (2) Testing, fitting, or training in the use of prosthetic and orthotic devices;
- (3) Recreational therapy;
- (4) Physical and occupational therapy;
- (5) Speech, language and hearing therapy;
- (6) Psychiatric, psychological and social services, including positive behavior management;
- (7) Assessment for determining eligibility and vocational rehabilitation needs;
- (8) Rehabilitation technology;
- (9) Job development, placement, and retention services;
- (10) Evaluation or control of specific disabilities;
- (11) Orientation and mobility services for individuals who are blind;
- (12) Extended employment;
- (13) Psychosocial rehabilitation services;
- (14) Supported employment services and extended services;
- (15) Services to family members when necessary to the vocational rehabilitation of the individual;
- (16) Personal assistance services; or
- (17) Services similar to the services described in paragraphs (1) through (16) of this definition.

(Authority: Sec. 7(25) of the Act; 29 U.S.C. 706(25))

Employment outcome means entering or retaining full-time or, if appropriate, part-time competitive employment in the integrated labor market, the practice of a profession, self-employment, homemaking, farm or family work (including work for which payment is in kind rather than cash), extended employment in a community rehabilitation program, supported employment, or other gainful work.

(Authority: Sec 7(5) of the Act; 29 U.S.C. 706(5))

Individual who is blind means a person who is blind within the meaning of the law relating to vocational rehabilitation in each State.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

Individual with a disability means any individual who--

- (1) Has a physical or mental impairment that for that individual constitutes or results in a substantial impediment to employment; and
- (2) Can benefit in terms of an employment outcome from vocational rehabilitation services provided under Titles I, III, VI, or VIII of the Act.

(Authority: Sec. 7(8)(A) of the Act; 29 U.S.C. 706(8)(A))

Individual with a severe disability means an individual with a disability--

- (1) Who has a severe physical or mental impairment that seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome;
- (2) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and
- (3) Who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia and other spinal cord conditions, sickle-cell anemia, specific learning disabilities, end-stage renal disease, or another disability or combination of disabilities determined to cause comparable substantial functional limitation.

(Authority: Sec. 7(15)(A) of the Act; 29 U.S.C. 706(15)(A))

Physical and mental restoration services means--

- (1) Medical or corrective surgical treatment for the purpose of correcting or modifying substantially a physical or mental condition that is stable or slowly progressive and constitutes a substantial impediment to employment and that is likely, within a reasonable period of time, to be corrected or substantially modified as a result of the medical or surgical treatment;
- (2) Diagnosis and treatment for mental or emotional disorders by qualified personnel in accordance with State licensure laws;
- (3) Dentistry;
- (4) Nursing services;
- (5) Necessary hospitalization (either inpatient or outpatient care) in connection with surgery or treatment and clinic services;
- (6) Convalescent or nursing home care;
- (7) Drugs and supplies;

- (8) Prosthetic, orthotic, or other assistive devices, including hearing aids essential to obtaining or retaining employment;
- (9) Eyeglasses and visual services, including visual training, and the examination and services necessary for the prescription and provision of eyeglasses, contact lenses, microscopic lenses, telescopic lenses, and other special visual aids, prescribed by qualified persons under State licensure laws, that are selected by the individual;
- (10) Podiatry;
- (11) Physical therapy;
- (12) Occupational therapy;
- (13) Speech and hearing therapy;
- (14) Psychological services;
- (15) Therapeutic recreation services;
- (16) Medical or medically related social work services;
- (17) Treatment of either acute or chronic medical complications and emergencies that are associated with or arise out of the provision of physical and mental restoration services or that are inherent in the condition under treatment;
- (18) Special services for the treatment of individuals with end-stage renal disease, including transplantation, dialysis, artificial kidneys, and supplies; and
- (19) Other medical or medically related rehabilitation services, including art therapy, dance therapy, music therapy, and psychodrama.

(Authority: Sec. 103(a)(4) of the Act; 29 U.S.C. 723(a)(4))

Physical or mental impairment means a physical or mental condition which materially limits, contributes to limiting or, if not corrected, will probably result in limiting an individual's employment activities or vocational functioning.

(Authority: Sec. 7(8)(A) of the Act; 29 U.S.C. 706(8)(A))

Reservation means a Federal or State Indian reservation, public domain Indian allotment, former Indian reservation in Oklahoma, and land held by incorporated Native groups, regional corporations and village corporations under the provisions of the Alaska Native Claims Settlement Act.

(Authority: Sec. 130(c) of the Act; 29 U.S.C. 750(c))

State agency means the sole State agency designated to administer (or supervise local administration of) the State plan for vocational rehabilitation services. The term includes the State agency for the blind, if designated as the sole State agency with respect to that part of the plan relating to the vocational rehabilitation of individuals who are blind.

(Authority: Sec. 7(3)(A) and 101(a)(1)(A) of the Act; 29 U.S.C. 721(a)(1)(A))

State plan means the State plan for vocational rehabilitation services. (34 CFR

Part 361)

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

State unit, State vocational rehabilitation unit or designated State unit means either--

(1) The State agency vocational rehabilitation bureau, division, or other organizational unit that is primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities and that is responsible for the administration of the vocational rehabilitation program of the State agency; or

(2) The independent State commission, board, or other agency that has vocational rehabilitation, or vocational and other rehabilitation as its primary function.

(Authority: Sec. 7(3) of the Act; 29 U.S.C. 706(3))

Substantial impediment to employment means that a physical or mental impairment (in light of attendant medical, psychological, vocational, educational, and other related factors) significantly restricts an individual's occupational performance by preventing his preparing for, obtaining, or retaining employment consistent with his capacities and abilities.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

Vocational rehabilitation services: (1) When provided to an individual, means any goods or services necessary to render an individual with a disability employable, including, but not limited to, the following--

(i) An assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;

(ii) Counseling, guidance, and work-related placement services for individuals with disabilities, including job search assistance, placement assistance, job retention services, personal assistance services, and follow-up, follow-along, and specific diagnosis services necessary to assist such individuals to maintain, regain, or advance in employment;

(iii) Vocational and other training services for individuals with disabilities, including personal and vocational adjustment, books, or other training materials;

(iv) Services to the families of such individuals with disabilities, if necessary to the adjustment or rehabilitation of such individuals;

(v) Physical and mental restoration services;

(vi) Maintenance for additional costs incurred while participating in rehabilitation;

(vii) Interpreter services and note-taking services for individuals who are deaf, including tactile interpreting for individuals who are deaf-blind;

(viii) Reader services and note-taking services for those individuals who are determined to be blind after an examination by qualified personnel under State licensure laws;

(ix) Recruitment and training services to provide new employment opportunities in the fields of rehabilitation, health, welfare, public safety and law enforcement, and other appropriate service employment;

(x) Rehabilitation teaching services and orientation and mobility services for individuals who are blind;

(xi) Occupational licenses, tools, equipment, and initial stocks and supplies;

(xii) Transportation in connection with the rendering of any vocational rehabilitation service;

(xiii) Telecommunications, sensory, and other technological aids and devices;

(xiv) Rehabilitation technology services;

(xv) Referral and other services designed to assist individuals with disabilities in securing needed services from other agencies;

(xvi) Transition services that promote or facilitate the accomplishment of long-term rehabilitation goals and intermediate rehabilitation objectives;

(xvii) On-the-job or other related personal assistance services provided while an individual with a disability is receiving vocational rehabilitation services; and

(xviii) Supported employment services.

(Authority: Sec. 103(a) of the Act; 29 U.S.C. 723(a))

(2) When provided for the benefit of groups of individuals, Vocational rehabilitation services also means--

(i) In the case of any type of small business enterprise operated by individuals with the most severe disabilities under the supervision of the State unit, management services, and supervision and acquisition of vending facilities or other equipment, and initial stocks and supplies;

(ii) The establishment, development, or improvement of community rehabilitation programs, including, under special circumstances, the construction of a rehabilitation facility to provide services that promote integration and competitive employment;

(iii) The provision of services, including services provided at community rehabilitation programs, that promise to contribute substantially to the rehabilitation of a group of individuals but that are not related directly to the individualized written rehabilitation program of any one individual with disabilities;

(iv) The use of existing telecommunications systems;

(v) The use of services providing recorded material for persons who are blind and captioned films or video cassettes for persons who are deaf; and

(vi) Technical assistance and support services to businesses that are not subject to Title I of the Americans with Disabilities Act of 1990 and that are seeking to employ individuals with disabilities.

(Authority: Sec. 103(b) of the Act; 29 U.S.C. 723(b))

[46 FR 5417, Jan. 19, 1981, as amended at 50 FR 38630, Sept. 23, 1985; 53 FR 17143, May 13, 1988; 59 FR 8335, Feb. 18, 1994]

## **Subpart B--[Reserved]**

### **Subpart C--How Does One Apply for a Grant?**

#### **§ Sec. 369.20 What are the application procedures for these programs?**

The Secretary gives the appropriate State vocational rehabilitation unit an opportunity to review and comment on applications submitted from within the State that it serves. The procedures to be followed by the applicant and the State are in EDGAR §§ 75.155-75.159.

(Authority: Sec. 12)(c) of the Act; 29 U.S.C. 711(c))

### **Subpart D---How Does the Secretary Make a Grant?**

#### **§ Sec. 369.21 What application requirement applies to these programs?**

Each applicant for a grant under a program under 34 CFR Parts 372, 373, 374, 375, 376, 378, or 379 must include in its application a description of the manner in which it will address the needs of individuals with disabilities from minority backgrounds.

(Approved by the Office of Management and Budget under control number 1820-0018)

(Authority: Sec. 21(b)(5) of the Act; 29 U.S.C. 718b)  
[59 FR 8337, Feb. 18, 1994]

#### **§ Sec. 369.30 How does the Secretary evaluate an application?**

(a) The Secretary evaluates each application on the basis of general selection criteria in § 369.31 and specific selection criteria in 34 CFR Parts 371, 372, 373, 374, 375, 376, 378, and 379. The maximum possible score for each complete criterion under each Vocational Rehabilitation Service Project category is stated in parentheses in Secs. 371.30, 372.30, 373.30, 374.30, 375.30, 376.31, 378.30, and 379.30. The number of points awarded under each criterion depends on how well the application meets all the elements under that criterion.

(b) The Secretary awards up to 100 possible points for these selection criteria.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))  
[46 FR 5417, Jan. 19, 1981, as amended at 51 FR 3895, Jan. 30, 1986]

#### **§ Sec. 369.31 What general selection criteria does the Secretary use in reviewing an application?**

(a) Plan of operation. (1) The Secretary reviews each application for



information that shows the quality of the plan of operation for the project.

(2) The Secretary looks for information that shows--

(i) High quality in the design of the project;

(ii) An effective plan of management that insures proper and efficient administration of the project;

(iii) A clear description of how the objectives of the project relate to the purpose of the program;

(iv) The way the applicant plans to use its resources and personnel to achieve each objective;

(v) A clear description of how the applicant will provide equal access and treatment for eligible project participants who are members of groups that have been traditionally underrepresented, such as--

(A) Persons with disabilities;

(B) The elderly;

(C) Women; and

(D) Members of racial or ethnic minority groups;

(b) Quality of key personnel. (1) The Secretary reviews each application for information that shows the quality of key personnel proposed for the project;

(2) The Secretary looks for information that shows--

(i) The qualifications of the project director;

(ii) The qualifications of each of the other key personnel to be used in the project;

(iii) The time that each person referred to in paragraphs (b)(2) (i) and (ii) of this criterion will commit to the project; and

(iv) The extent to which the applicant, as part of its non-discriminatory employment practices, encourages applications for employment from persons who are members of groups that have been traditionally underrepresented, such as--

(A) Persons with disabilities;

(B) The elderly;

(C) Women; and

(D) Members of racial or ethnic minority groups.

(3) To determine personnel qualifications, the Secretary considers experience and training, in fields related to the objectives of the project, as well as other information that the applicant provides.

(c) Budget and cost effectiveness. (1) The Secretary reviews each application for information that shows that the project has an adequate budget and is cost effective.

(2) The Secretary looks for information that shows--

(i) The budget for the project is adequate to support the project activities;

(ii) Costs are reasonable in relation to the objectives of the project.

(d) Evaluation plan. (1) The Secretary reviews each application for information that shows the quality of the evaluation plan for the project.

(2) The Secretary looks for information that shows methods of evaluation that are appropriate for the project, and to the extent possible, are objective, and produce data that are quantifiable.

(e) Adequacy of resources. (1) The Secretary reviews each application for information that shows that the applicant plans to devote adequate resources to

the project.

(2) The Secretary looks for information that shows--

(i) The facilities that the applicant plans to use are adequate; and

(ii) The equipment and supplies that the applicant plans to use are adequate.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

[46 FR 5417, Jan. 19, 1981, as amended at 53 FR 17143, May 13, 1988; 53 FR 49145, Dec. 6, 1988; 59 FR 8335, Feb. 18, 1994]

**§ Sec. 369.32 What other factors does the Secretary consider in reviewing an application?**

In addition to the selection criteria listed in Sec. 369.31 and 34 CFR Parts 371, 372, 373, 374, 375, 376, 378, and 379, the Secretary, in making awards under these programs, considers such factors as--

(a) The geographical distribution of projects in each program category throughout the country; and

(b) The past performance of the applicant in carrying out similar activities under previously awarded grants, as indicated by such factors as compliance with grant conditions, soundness of programmatic and financial management practices and attainment of established project objectives.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(a)).

[46 FR 5417, Jan. 19, 1981, as amended at 51 FR 3895, Jan. 30, 1986]

**Subpart E--What Conditions Must Be Met by a Grantee?**

**§ Secs. 369.40--369.41 [Reserved]**

**§ Sec. 369.42 What special requirements affect provision of services to individuals with disabilities?**

(a) Vocational rehabilitation services provided in projects assisted under these programs must be provided in the same manner as services provided under the State plan for vocational rehabilitation services under 34 CFR Part 361.

(b) Each grantee under 34 CFR parts 371, 372, 373, 374, 375, 376, 378, or 379 must advise applicants for or recipients of services under its project, or as appropriate, the parents, family members, guardians, advocates, or authorized representatives of those individuals, of the availability and purposes of the State's Client Assistance Program, including information on seeking assistance from that program.

(Authority: Secs. 20 and 306(h) of the Act; 29 U.S.C. 718a and 776(h))

[46 FR 5417, Jan. 19, 1981, as amended at 53 FR 17144, May 13, 1988; 59 FR 8337, Feb. 18, 1994]

**§ Sec. 369.43 What are the affirmative action plan requirements affecting grantees?**

A recipient of Federal assistance must develop and implement an affirmative action plan to employ and advance in employment qualified individuals with disabilities. This plan must provide for specific action steps, timetables, and complaint and enforcement procedures necessary to assure affirmative action.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

[46 FR 5417, Jan. 19, 1981, as amended at 53 FR 17144, May 13, 1988; 59 FR 8335, Feb. 18, 1994]

**§ Sec. 369.44 What wage and hour standards apply to community rehabilitation programs?**

All applicable Federal and State wage and hour standards must be observed in projects carried out in community rehabilitation programs.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

[46 FR 5417, Jan. 19, 1981. Redesignated and amended at 59 FR 8337, Feb. 18, 1994]

**§ Sec. 369.45 What are the special requirements pertaining to the membership of project advisory committees?**

If an advisory committee is established under a project, its membership must include persons with disabilities or their representatives and other individuals to be assisted within the project, providers of services, and other appropriate individuals.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

[46 FR 5417, Jan. 19, 1981, as amended at 53 FR 17144, May 13, 1988; 59 FR 8335, Feb. 18, 1994. Redesignated at 59 FR 8337, Feb. 18, 1994]

**§ Sec. 369.46 What are the special requirements pertaining to the protection, use, and release of personal information?**

(a) All personal information about individuals served by any project under this part, including lists of names, addresses, photographs, and records of evaluation, must be held confidential.

(b) The use of information and records concerning individuals must be limited only to purposes directly connected with the project, including project evaluation activities. This information may not be disclosed, directly or indirectly, other than in the administration of the project unless the consent of the agency providing the information and the individual to whom the information applies, or his or her representative, have been obtained in

writing. The Secretary or other Federal or State officials responsible for enforcing legal requirements have access to this information without written consent being obtained. The final product of the project may not reveal any personal identifying information without written consent of the individual or his or her representative.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

[46 FR 5417, Jan. 19, 1981. Redesignated at 59 FR 8337, Feb. 18, 1994]

**§ Sec. 369.47 What are the special requirements affecting the collection of data from State agencies?**

If the collection of data is necessary either from individuals with disabilities. being served by two or more State agencies or from employees of two or more of these agencies, the project director must submit requests for the data to appropriate representatives of the affected agencies, as determined by the Secretary. This requirement also applies to employed project staff and individuals enrolled in courses of study supported under this part.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

[46 FR 5417, Jan. 19, 1981, as amended at 53 FR 17144, May 13, 1988; 59 FR 8335, Feb. 18, 1994. Redesignated at 59 FR 8337, Feb. 18, 1994]

**§ Sec. 369.48 [Redesignated. 59 FR 8337, Feb. 18, 1994]**

**PART 375--VOCATIONAL REHABILITATION SERVICE PROJECTS PROGRAM FOR MIGRATORY AGRICULTURAL WORKERS AND SEASONAL FARMWORKERS WITH DISABILITIES**

**Subpart A--General**

Sec.

375.1 What is the Vocational Rehabilitation Service Projects Program for Migratory Agricultural Workers and Seasonal Farmworkers with Disabilities?

375.2 Who is eligible for assistance under this program?

375.3 What regulations apply to this program?

375.4 What definitions apply to this program?

**Subpart B--What Kinds of Activities Does the Department of Education Assist Under This Program?**

375.10 What activities are eligible for assistance?

**Subpart C--[Reserved]**

**Subpart D--How Does the Secretary Make A Grant?**

375.30 What selection criteria does the Secretary use under this program?

375.40 What are the matching requirements?

375.41 What are allowable costs?

375.42 What are the special requirements affecting coordination with related programs?

Authority: 29 U.S.C. 711(c) and 777b, unless otherwise noted. Source: 46 FR 5430, Jan. 19, 1981, unless otherwise noted.

**Subpart A--General**

**Sec. 375.1 What is the Vocational Rehabilitation Service Projects Program for Migratory Agricultural Workers and Seasonal Farmworkers with Disabilities?**

This program is designed to provide financial assistance to projects for providing vocational rehabilitation services to migratory agricultural workers or seasonal farmworkers with disabilities.

(Authority: Sec. 312 of the Act; 29 U.S.C. 777b) [53 FR 17145, May 13, 1988, as amended at 59 FR 8339, Feb. 18, 1994]

**Sec. 375.2 Who is eligible for assistance under this program?**

(a) Applications may be made by State vocational rehabilitation agencies, nonprofit agencies working in collaboration with State vocational rehabilitation agencies, or local agencies administering a vocational rehabilitation program

under written agreements with State agencies.

(b) A State agency may, if it chooses, enter into an agreement with the State vocational rehabilitation agencies of one or more other States to develop a cooperative program for the provision of vocational rehabilitation services under this program.

(Authority: Secs. 12(c) and 312 of the Act; 29 U.S.C. 711(c) and 777b) [46 FR 5430, Jan. 19, 1981, as amended at 59 FR 8339, Feb. 18, 1994]

### **Sec. 375.3 What regulations apply to this program?**

The following regulations apply to this program--

(a) 34 Part 369;

(b) The regulations in this Part 375.

(Authority: Sec. 312 of the Act; 29 U.S.C. 777b)

### **Sec. 375.4 What definitions apply to this program?**

(a) The definitions in 34 CFR Part 369 apply to this program.

(b) The following definitions also apply to this program--

(1) "Family members" or "members of the family" means any relative by blood or marriage of a migratory agricultural worker or seasonal farmworker with disabilities and other individuals living in the same household with whom the migratory agricultural worker or the seasonal farmworker with disabilities has a close interpersonal relationship, and who are with the worker, or have accompanied the worker on his migratory tour to the point in time at which the State agency comes into contact with him.

(Authority: Secs. 12(c) and 312 of the Act; 29 U.S.C. 711(c) and 777b)

(2) "Migratory agricultural worker" means a person who occasionally or habitually leaves his place of residence on a seasonal or other temporary basis to engage in ordinary agricultural operations or in services incident to the preparation of farm commodities for the market in another locality in which he resides during the period of such employment.

(Authority: Secs. 12(c) and 312 of the Act; 29 U.S.C. 711(c) and 777b)

(3) "Seasonal farmworker" means a person who on a seasonal or other temporary basis engages in ordinary agricultural operations or in services incident to the preparation of farm commodities for the market within daily commuting distance from his place of normal residence.

(Authority: Secs. 12(c) and 312 of the Act; 29 U.S.C. 711(c) and 777b) [46 FR 5430, Jan. 19, 1981, as amended at 53 FR 17145, May 13, 1988; 59 FR 8339, Feb. 18, 1994]

**Subpart B--What Kinds of Activities Does the Department of Education Assist Under This Program?**

**Sec. 375.10 What activities are eligible for assistance?**

Project activities include the development and implementation of special arrangements for providing vocational rehabilitation services to individuals with disabilities who are migratory agricultural workers or seasonal farmworkers and to members of their families (whether or not disabled) who are with them, if these services are necessary to the vocational rehabilitation of the migratory agricultural worker or seasonal farmworker with disabilities.

(Authority: Sec. 312 of the Act; 29 U.S.C. 777b) [46 FR 5430, Jan. 19, 1981, as amended at 53 FR 17145, May 13, 1988; 59 FR 8339, Feb. 18, 1994]

**Subpart C--[Reserved]**

**Subpart D--How Does the Secretary Make A Grant?**

**Sec. 375.30 What selection criteria does the Secretary use under this program?**

(a) Plan of operation (35 points).

The Secretary reviews each application on the basis of the criterion in Sec. 369.31(a).

(b) Quality of key personnel (15 points).

The Secretary reviews each application on the basis of the criterion in Sec. 369.31(b).

(c) Budget and cost effectiveness (15 points).

The Secretary reviews each application on the basis of the criterion in Sec. 369.31(c).

(d) Evaluation plan (5 points).

The Secretary reviews each application on the basis of the criterion in Sec. 369.31(d).

(e) Adequacy of resources (10 points).

The Secretary reviews each application on the basis of the criterion in Sec.

369.31(e).

(f) Liaison with the State vocational rehabilitation service program (15 points).

(1) The Secretary reviews each application for information that shows the adequacy of the liaison with the State vocational rehabilitation service program.

(2) The Secretary looks for information that shows project linkages with the State vocational rehabilitation agency and community agencies adequate to ensure client referrals, outreach and utilization of project results.

(g) Likelihood of sustaining program (5 points).

(1) The Secretary reviews each application for information that shows the likelihood of the service program being sustained after the termination of Federal grant support.

(2) The Secretary looks for information that shows that the applicant agency intends to continue to operate the service program after the termination of the project.

(Authority: Secs. 12(c) and 312 of the Act; 29 U.S.C. 711(c) and 777b). [46 FR 5430, Jan. 19, 1981, as amended at 59 FR 8339, Feb. 18, 1994]

#### **Sec. 375.40 What are the matching requirements?**

The Federal share may not be more than 90 percent of the total cost of a project under this program.

(Authority: Secs. 12(c) and 312 of the Act; 29 U.S.C. 711(c) and 777b). [46 FR 5430, Jan. 19, 1981, as amended at 59 FR 8339, Feb. 18, 1994]

#### **Sec. 375.41 What are allowable costs?**

In addition to those allowable costs established in EDGAR Secs. 75.530- 75.534, the following items are allowable under this program--

(a) Staff training necessary to improve the capacity of the State or local or nonprofit agency to serve migratory agricultural workers or seasonal farmworkers with disabilities and members of their families if the training is included within a program of services; and

(b) Maintenance payments which must be provided at rates consistent with rates paid to individuals with disabilities under the State plan for vocational rehabilitation services under 34 CFR Part 361.

(Authority: Secs. 12(c) and 312 of the Act; 29 U.S.C. 711(c) and 777b). [46 FR



5430, Jan. 19, 1981, as amended at 53 FR 17145, May 13, 1988; 59 FR 8339, Feb. 18, 1994]

**Sec. 375.42 What are the special requirements affecting coordination with related programs?**

Each project must be administered in close cooperation with other public and nonprofit agencies and organizations having special skills and experience in the provision of services to migratory agricultural workers, seasonal farmworkers,

or their families, including programs authorized under Title I of the Elementary and Secondary Education Act of 1965, section 311 of the Economic Opportunity Act of 1964, the Immigrant Health Act and the Farm Labor Contractor Registration Act of 1963.

(Authority: Secs. 12(c) and 312 of the Act; 29 U.S.C. 711(c) and 777b). [46 FR 5430, Jan. 19, 1981, as amended at 59 FR 8339, Feb. 18, 1994]

## **ASSURANCES- NON-CONSTRUCTION PROGRAMS**

**Note:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

- |   |   |
|---|---|
| 1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management, and completion of the project described in this application. | papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.                                     |
| 2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books,  | 3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain. |
|   | 4. Will initiate and complete the work within the applicable time frame after receipt of approval   |

of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and

Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse. (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of

Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §§874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance

if the total cost of insurable construction and acquisition if \$10,000 or more.

11. Will comply with environmental; standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended,

(P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1721 et seq) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signature of Authorized Certifying Official	Title	
Applicant Organization		Date Submitted

**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

**1. LOBBYING**

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a

grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts) and that all subrecipients shall certify and disclose accordingly.

## **2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS**

As required by Executive Order 12549, Debarment and

Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110 -

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction: violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for

cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

### **3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610 -

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substances prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about -

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (room 3124, GSA Regional Office Building No. 3), Washington, DC 20202-4571. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under



subparagraph (d)(2), with respect to any employee who is co convicted -

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purpose by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant: Place of Performance (Street address, city, county, state, zip code)

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Check ☐ if there are workplaces on file that are not identified here.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free

Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 35 CFR Part 85, Sections 85.605 and 85.610 --

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offence resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to Director, Grants and Contracts Service, US Department of Education, 400 Maryland Avenue, SW (Room 3124, GSA Regional Office Building No. 3), Washington, DC 20202-4571. Notice shall include the identification number of each affected grant.

As the duly authorized representative of the applicant, I certify that the applicant will comply with the above certifications.

NAME OF APPLICANT\_\_\_\_\_

PR/AWARD NO. AND/OR PROJECT NAME \_\_\_\_\_

PRINTED NAME OF AUTHORIZED REPRESENTATIVE\_\_\_\_\_

SIGNATURE\_\_\_\_\_ DATE\_\_\_\_\_

ED 80-0013

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND  
VOLUNTARY EXCLUSION - LOWER TIER COVERED TRANSACTIONS**

.....  
This certification is required by the Department of Education regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, for all lower tier transactions meeting the threshold and tier requirements stated at Section 85.120.

**Instructions for Certification**

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may purpose available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered

transaction," "principal," "proposal," "and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titles "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion - Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**Certification:**

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name of Applicant	PR/Award # and/or Project Name
Printed Name and Title of Authorized Representative	
Signature	Date

ED 80-0014, 9/90 (replaces GCS-009(rev. 12/88), which is obsolete)

**DISCLOSURE OF LOBBYING ACTIVITIES**

approved by O.M.B. 0345-0045

 Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352  
 (see reverse for public burden disclosure)

1. Type of Federal Action		2. Status of Federal Action:		3. Report Type:	
	a. Contract b. grant c. coop. agreement d. loan e. loan guarantee f. loan insurance		a. bid/ offer/application b. initial award c. post-award		a. initial filing b. material change For Material Change Only: yr.____ qrtr.____ Date of last report_____
4. Name and Address of Reporting Entity: __Prime __Subawardee Tier____, if known  Congressional District_____			5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:		
6. Federal Department/Agency:			7. Federal Program Name/Description:		
			CDFA #, if applicable 84._____		
8. Federal Action Number, if known:			9. Award Amount, if known:		
			\$		
10.a. Name and Address of Lobbying Entity (if individual, last name, first name, MI)			b. Individuals Performing Services (including address if different from 10a) (last name, first name, MI)  attach SF-LLL-A, if necessary		
11. Amount of Payment (check all that apply): \$_____ <input type="checkbox"/> actual <input type="checkbox"/> planned			13. Type of Payment (check all that apply): <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other; specify:_____		
12. Form of Payment (check all that apply): <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind: nature_____					
value_____					

14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in item 11:

(attach contin. sht., SF-LLL-A, if necessary)

15. Continuation Sheet(s) SF-LLL-A attached \_\_\_\_ Yes \_\_\_\_ No

16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature: .....  
Print Name .....  
Title : .....  
Telephone No: \_\_\_\_ - \_\_\_\_ - \_\_\_\_  
Date: .....

Federal Use Only:

Authorized for Local Reproduction SF-LLL

## INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, of expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee" then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below



agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number grant announcement number, the contract, grant, or loan award number, the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal Action.  
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10  
(a) Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.

16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget Paperwork Reduction Project (0348-0046), Washington, D.C. 20503

**DISCLOSURE OF LOBBYING ACTIVITIES**  
**Continuation Sheet**

Approved by OMB  
0348-0046

Reporting Entity: \_\_\_\_\_ Page \_\_\_\_ of \_\_\_\_

## **APPLICATION TRANSMITTAL INSTRUCTIONS**

Please send an original and [insert appropriate number, i.e., three (3)] complete copies of your application.

The application must be received by mail or hand-delivered by the closing date.

### **Applications Sent by Mail**

All applications sent by mail must be addressed to the U.S. Department of Education, Application Control Center, Attention: CFDA # 84.[fill in number], 600 Independence Avenue, SW, Washington, D.C. 20202-4725.

An application must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark.
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.
- (3) A dated shipping label, invoice, or receipt from a commercial carrier.
- (4) Any other proof of mailing acceptable to the U.S. Secretary of Education.

If an application is sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing:

- (1) A private metered postmark, or
- (2) A mail receipt that is not dated by the U.S. Postal Service.

An applicant should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

An applicant is encouraged to use registered or at least first class mail.

Each late applicant will be notified that its application will not be considered.

### **Applications Delivered by Hand/Courier Service**

An application that is hand delivered must be taken to the U.S. Department of Education, Application Control Center, Room 3633, General Services Administration National Capital Region, 7th and D Streets, SW, Washington, D.C. 20202-4725.

The Application Control Center will accept deliveries between 8:00 a.m., and 4:30 p.m. (Washington, D.C.) daily, except Saturdays, Sundays and Federal

holidays.

Individuals delivering applications must use the D Street Entrance. Proper identification is necessary to enter the building.

In order for an application sent through a Courier Service to be considered timely, the Courier Service must be in receipt of the application on or before the closing date.

### **Grant Application Receipt Acknowledgement**

If you do not receive the notification of application receipt within fifteen (15) days from the closing date, call:

U.S. Department of Education  
Coordination and Control Branch  
(202) 708-9495

## APPLICATION CHECKLIST

Does your application include each of the following?

- ☐ Cover page (SF 424)
- ☐ Budget form (ED Form 524)
- ☐ Program specific budget form [if applicable]
- ☐ Budget narrative [if applicable]
- ☐ Program narrative, including abstract and responses to the selection criteria
- ☐ Assurances and Certifications [list]

Did You --

- ☐ Provide one (1) original plus [insert number] copies of the application?
- ☐ Include all required forms with original signatures and dates?
- ☐ Submit a copy of the application to the State Single Point of Contact, if applicable?
- ☐ Mail\* Application To: **OR** Hand-deliver\* Application To:

\_\_\_\_\_ PROGRAM  
ATTN: 84.\_\_\_\_\_  
U.S. Department of Education  
Application Control Center  
600 Independence Avenue, SW  
Washington, DC 20202-4725

\_\_\_\_\_ PROGRAM  
ATTN: 84.\_\_\_\_\_  
U.S. Department of Education  
Application Control Center  
7th & D Streets, SW, Room 3633  
Washington, DC 20202-4725

\*Must be received by mail postmarked no later than [Insert date] or hand-delivered by 4:30 p.m. no later than [Insert date].

[Programs should add to this list any required items that are not included and delete those items that are not applicable.]

## COMMON QUESTIONS AND ANSWERS

[Below are some examples of Q's & A's that programs may include in their application booklets. Programs may want to add others. Generally speaking, Q's & A's should not repeat information that is given elsewhere in the application. However, there may be exceptions to this "rule of thumb." Q's & A's should not be subregulatory and should not take the place of instructions.]

Q. What happens to my application after it is received in the Department?

A. The Department's Application Control Center receives each application, assigns each an identifying number (PR/Award number), confirms receipt of applications, and sends the applications to the appropriate program office, which screens them for eligibility. The program conducts a peer review of all eligible applications sent to a program competition, ranks them and recommends the highest ranked applications for funding with exceptions as provided by law. The responsible official for the applicable program reviews the program office's recommendations, checks the adequacy of the documentation supporting the recommendations, and approves a final list, or slate, of recommended projects and funding amounts. The final slate is forwarded to Grant and Contract Services, Grants Division, which negotiates the recommendations with the successful applicants and awards the grants.

Q. What happens to my application if the Department finds it to be ineligible?

A. The Department immediately returns an application that does not meet the eligibility criteria for the particular program. A letter from the Department explaining why it is not being reviewed in the competition accompanies the application.

Q. How does the Department review an application?

A. Each application is assessed by knowledgeable persons from outside and sometimes inside the Department who are asked for their judgements about the quality and significance of the proposed project. These persons represent a diversity of disciplines and institutional, regional, and cultural backgrounds. The advice of these experts is compiled by Departmental staff who comment on matters of fact or on significant issues that would otherwise be missing from the review. The results are then presented to the responsible official responsible for the program who approves the recommendations for funding.

Q. What Criteria do the reviewers use when scoring an application?

A. Reviewers score each application using the selection criteria published in the Federal Register as part of the program regulations, which are given [specify

where they can be found in the application package]. Reviewers are instructed to use only the published criteria.

Q. Is a recommended application guaranteed funding?

A. No. Funding is not final until negotiations have been successfully concluded and a grant award notification has been signed by the grants office and mailed to the applicant.

Q. How long does it take the Department to complete the review process?

A. (Describe normal experience with the particular program. Most review processes take from six to eight months.)

Q. How do the invitational, competitive and absolute priorities differ?

A. **Invitational Priority**

The Secretary may simply invite applicants to meet a priority. However, an application that addresses invitational priorities receives no competitive or absolute preference over applications that do not meet this priority.

### **Competitive Priority**

If a program uses weighted selection criteria, the Secretary may award selection points to an application that meets the priority. These points are in addition to any points the application earns under the selection criteria. The notice states the maximum number of additional points that the Secretary may award to applications that meet the priority in a particularly effective way. Or the Secretary may simply select applications that meet the competitive priority over applications of comparable merit that do not meet the priority.

### **Absolute Priority**

Under an absolute priority, the Secretary may select for funding only those applications that meet the priority.

Q. Can changes in the size of subsequent year awards be made after the multi-year budget has been negotiated?

A. Yes, a grantee can renegotiate his or her multi-year budget and may be awarded additional funds if sufficient justification is presented to the Secretary



and funds are available. Also, funds can be decreased if it is determined that the multi-year budget was overestimated.

Q. How will funding continuation decisions be made if the Department is phasing out the use of non-competing continuation applications after fiscal year 1995?

A. Grantees will be required to complete annual performance reports that describe the projects' accomplishments, evaluations, and finances. These performance reports, along with other information, will be used by the Department to decide whether to continue funding projects.

## OTHER IMPORTANT INFORMATION AND NOTICES

### Executive Order 12372 - Intergovernmental Review

The Education Department General Administrative Regulations (EDGAR), 34 CFR Part 79, pertaining to intergovernmental review of Federal programs, apply to the program(s) included in this application package.

Immediately upon receipt of this notice, all applicants, other than Federally recognized Indian Tribal Governments, must contact the appropriate State Single Point of Contact to find out about, and to comply with, the State's process under Executive Order 12372. Applicants proposing to perform activities in more than one State should contact, immediately upon receipt of this notice, the Single Point of Contact for each State and follow the procedures established in those States under the Executive Order. A list containing the Single Point of Contact for each State is included in the application package for these programs.

In States that have not established a process or chosen a program for review, State, areawide, regional, and local entities may submit comments directly to the Department.

Any State Process Recommendation and other comments submitted by a State Single Point of Contact and any comments from State, areawide, regional, and local entities must be mailed or hand-delivered by the date in the program announcement for Intergovernmental Review to the following address:

The Secretary  
E.O. 12372-CFDA # 84. \_\_\_\_  
U.S. Department of Education, FOB-10, Room 6123  
600 Independence Ave., S.W.  
Washington, D.C. 20202-0100

On line 2 of the above address, please provide the correct Catalog of Federal Domestic Assistance number (CFDA #) of the program for which a comment or state process recommendation on an application is submitted.

In those States that require review for this program, applications are to be submitted simultaneously to the State Review Process and the U.S. Department of Education.

Proof of mailing will be determined on the same basis as applications.

Please note that the above address is not the same address as the one to which the applicant submits its completed application. Do not send applications to the above address.

STATE SINGLE POINT OF CONTACT

**ARIZONA**

Ms. Janice Dunn  
Arizona State Clearinghouse  
3800 N. Central Avenue  
Fourteenth Floor  
Phoenix, Arizona 85012  
Telephone (602) 280-1315

**ARKANSAS**

Tracie L. Copeland  
Manager, St. Clearinghouse  
Off. of Intergover. Srvcs.  
Dept. of Finance and Admin.  
P.O. Box 3278  
Little Rock, Arkansas 72203  
Telephone (501) 682-1074

**CALIFORNIA**

Glenn Stober  
Grants Coordinator  
Office of Planning & Research  
1400 Tenth Street  
Sacramento, California 95814  
Telephone (916) 323-7480

**COLORADO**

St. of Single Point of Contact  
State Clearinghouse  
Division of Local Government  
1313 Sherman Street , Room 520  
Denver, Colorado 80203  
Telephone (303) 866-2156

**CONNECTICUT**

Mr. William T. Quigg  
Intergov. Review Coordinator  
State Single Point of Contact  
Office of Policy and Management  
Intergov. Policy Div.  
80 Washington Street  
Hartford, Connecticut 06106-4459  
Telephone (203) 566-3410

**INDIANA**

Jean S. Blackwell  
Budget Director  
St. Budget Agency  
212 State House  
Indianapolis, Indiana 46204  
Telephone (317) 232-5610

**DELAWARE**

Francine Booth  
State Single Point of Contact  
Executive Department  
Thomas Collins Building  
Dover, Delaware 19903  
Telephone (302) 739-3326

**DISTRICT OF COLUMBIA**

Rodney T. Hallman  
State of Single Point of  
Office of Grants Mgmt & Dev.  
717 14th Street N.W.  
Suite 500  
Washington, D.C. 20005  
Telephone (202) 727-6551

**FLORIDA**

Florida St. Clearinghouse  
Intergov. Affairs Policy Unit  
Exe. Off. of the Governor  
The Capitol  
Tallahassee, Florida 32399-0001  
Telephone (904) 488-8441

**GEORGIA**

Charles H. Badger  
Administrator  
Georgia State Clearinghouse  
254 Washington Street, S.W.  
Room 534 A  
Atlanta, Georgia 30334  
Telephone (404) 656-3855

**ILLINOIS**

Steve Klockenga  
St. Single Point of Contact  
Off. of the Governor  
107 Stratton Building  
Springfield, Illinois 62706  
Telephone (217) 782-1671

**MASSACHUSETTS**

Karen Arone  
St. Clearinghouse  
Exe. Off. of Comm. & Develp.  
100 Cambridge Street, Rm. 1803  
Boston, Massachusetts 02202  
Telephone (617) 727-7001

**IOWA**

Steven R. McCann  
 Div. for Comm. Progress  
 Iowa Dept. of Economic Develp.  
 200 East Grant Avenue  
 Des Moines, Iowa 50309  
 Telephone (515) 281-3725

**KENTUCKY**

Ronald W. Cook  
 Off. of the Governor  
 Dept. of Local Government  
 1024 Capitol Center Drive  
 Frankfort, Kentucky 40601  
 Telephone (502) 564-2382

**MAINE**

Joyce Benson  
 St. Planning Off.  
 St. House Station 38  
 Augusta, Maine 04333  
 Telephone (207) 289-3261

**MARYLAND**

Mary Abrams  
 Chief, MD St. Clearinghouse  
 Dept. of St. Planning  
 301 West Preston Street  
 Baltimore, Maryland 21201  
 Telephone (301) 225-4490

**NEW HAMPSHIRE**

Jeffery H. Taylor  
 Dir. NH Off. of St. Planning  
 Attn: Intergov. Review Process  
 James E. Bieber  
 2 1/2 Beacon Street  
 Concord, New Hampshire 03301  
 Telephone (603) 271-2155

**NEW JERSEY**

Gregory W. Adkins, Acting Dir.  
 Div. of Community Resources  
 NJ Dept. of Comm. Affairs

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Please direct all correspondence and questions about intergov. review to:

Andrew J. Jaskolka  
 St. Review Process  
 Div. of Comm. Resources

**MICHIGAN**

Richard S. Pastula  
 Director  
 Michigan Department of Commerce  
 Office of Federal Grants  
 P.O. Box 30225  
 Lansing, Michigan 48909  
 Telephone (517) 373-7356

**MISSISSIPPI**

Cathy Mallette  
 Clearinghouse Officer  
 Off. of Fed. Grant Mngt. & Reporting  
 Dept. of Finance and Admin.  
 301 West Pearl Street  
 Jackson, Mississippi 39203  
 Telephone (601) 949-2174

**MISSOURI**

Lois Pohl  
 Fed. Assistance Clearinghouse  
 Off. of Administration  
 P.O. Box 809  
 Room 430, Truman Building  
 Jefferson, Missouri 65102  
 Telephone (314) 751-4834

**NEVADA**

Dept. of Admin.  
 St. Clearinghouse  
 Capitol Complex  
 Carson City, Nevada 89710  
 Atten: Ron Sparks  
 Clearinghouse Coordinator  
 Telephone (702) 687-4065

**NORTH CAROLINA**

Mrs. Chrys Baggett  
 Director  
 Off. of the Secretary of Admin.  
 N.C. St. Clearinghouse  
 116 West Jones Street  
 Raleigh, North Carolina 27603-8003  
 Telephone (919) 733-7232

**NORTH DAKOTA**

ND Single Point of Contact  
 Off. of Intergov. Assistance  
 Off. of Mngt & Budget  
 600 East Blvd. Avenue  
 Bismarck, North Dakota 58505-0170  
 Telephone (701) 224-2094

CN 814, Rm. 609  
Trenton, New Jersey 08625-0814  
Telephone (609) 292-9025

#### **NEW MEXICO**

George Elliott  
Deputy Director  
St. Budget Division  
Rm. 190, Bataan Mem. Building  
Sante Fe, New Mexico 85703  
Telephone (505) 827-3640

#### **NEW YORK**

New York St. Clearinghouse  
Div. of the Budget  
St. Capitol  
Albany, New York 12224  
Telephone (518) 474-1605

#### **SOUTH CAROLINA**

Omegia Burgess  
St. Single Point of Contact  
Grant Services  
Office of the Governor  
1205 Pendelton Street  
Room 477  
Columbia, South Carolina 29201  
Telephone (803) 734-0494

#### **SOUTH DAKOTA**

Susan Comer  
St. Clearinghouse Coordinator  
Off. of the Governor  
500 East Capitol  
Pierre, South Dakota 57501  
Telephone (605) 773-3212

#### **TENNESSEE**

Charles Brown  
St. Single Point of Contact  
St. Planning Off.  
500 Charolette Avenue  
309 John Sevier Building  
Nashville, Tennessee 37219

#### **OHIO**

Larry Weaver  
St. Single Point of Contact  
St./Fed. Funds Coordinator  
St. Clearinghouse  
Off. of Bud. & Mngt.  
30 East Broad St., 34th Floor  
Columbus, Ohio 43266-0411  
Telephone (614) 466-0698

#### **RHODE ISLAND**

Daniel W. Varin  
Associate Director  
Statewide Planning Program  
Dept. of Admin.  
Div. of Planning  
265 Melrose St.  
Providence, Rhode Island 02907  
Telephone (401) 277-2656  
Please direct correspondence and  
questions to:  
Review Coordinator  
Office of Strategic Planning

#### **VERMONT**

Bernard D. Johnson  
Assistant Director  
Off. of Policy Research &  
Coordination  
Pavilion Off. Building  
109 St. Street  
Montpelier, Vermont 05602  
Telephone (802) 828-3326

#### **WEST VIRGINIA**

Fred Cutlip  
Director  
Comm. Develop. Div.  
Building #6, Rm. 553  
Charleston, WV 25305  
Telephone (304) 348-4010

#### **WISCONSIN**

William C. Carey  
Fed./St. Relations Office  
Wisconsin Dept. of Admin.  
101 South Webster St.  
P.O. Box 7864  
Madison, Wisconsin 53707

Telephone (615) 741-1676

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Please direct correspondence and questions to:

William C. Carey, Section Chief  
Fed./St. Relations Off.  
Wisconsin Dept. of Admin.  
Telephone (608) 266-0267

#### **TEXAS**

Tom Adams  
Governor's Off. of Bud. &  
Planning  
P.O. Box 12428  
Austin, Texas 78711  
Telephone (512) 463-1778

#### **WYOMING**

Sheryl Jeffries  
St. Single Point of Contact  
Herschler Building  
4th Floor, East Wing  
Cheyenne, Wyoming 82002  
Telephone (307) 777-7574

#### **UTAH**

Utah St. Clearinghouse  
Off. of Planning & Budget  
Attn: Carolyn Wright  
Rm. 116 St. Capitol  
Salt Lake City, Utah 84114  
Telephone (801) 538-1535

#### **TERRITORIES**

##### **GUAM**

Michael J. Reidy  
Director  
Bureau of Bud. & Mngt.  
Research  
Office of the Governor  
P.O. Box 2950  
Agana, Guam 96910  
Telephone (671) 472-2285

##### **PUERTO RICO**

Norma Burgos/Jose E. Caro  
Chairman/Director  
Puerto Rico Planning Board  
Minillas Government Center  
P.O. Box 41119  
San Juan, Puerto Rico 00940-9985  
Telephone (809) 727-4444

##### **NORTHERN MARIANA ISLANDS**

St. Single Point of Contact  
Planning & Budget Office  
Office of the Governor  
Saipan, CM  
Northern Mariana Islands 96950

##### **VIRGIN ISLANDS**

Jose George  
Director, Office of Management  
and Budget

#41 Norregade Emancipation Garden  
Station  
Second Floor  
Saint Thomas, Virgin Islands 00802

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Please direct correspondence to:  
Linda Clarke  
Telephone (809) 774-0750

In accordance with Executive Order #12372, "Intergovernmental Review Process," this listing represents the designated State Single Points of Contact. Upon request, a background document explaining the Executive Order is available. The Office of Management and Budget point of contact for updating this listing is: Donna Rivelli (202) 395-5090. The States not listed no longer participate in the process. These include: Alabama; Alaska; Kansas; Idaho; Louisiana; Minnesota; Montana; Nebraska; Oklahoma; Oregon; Pennsylvania; Virginia; Washington; and Hawaii. This list is based on the most current information provided by the States. Information on any changes or apparent errors should be provided to the Office of Management and Budget and the State in question. Changes to the list will be made only upon formal notification by the State.

**IMPORTANT NOTICE  
TO PROSPECTIVE PARTICIPANTS  
IN THE U.S. DEPARTMENT OF EDUCATION  
CONTRACT AND GRANT PROGRAMS**

**GRANTS**

Applicants for grants from the U.S. Department of Education (ED) have to compete for limited funds.

Deadlines assure all applicants that they will be treated fairly and equally, without last minute haste.

For these reasons, ED must set strict deadlines for grant applications. Prospective applicants can avoid disappointment if they understand that -

Failure to meet a deadline will mean that an application will be rejected without any consideration whatever.

The rules, including the deadline, for applying for each grant are published, individually, in the Federal Register. A one-year subscription to the Register may be obtained by sending \$340.00 to: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402-9371. (Send check or money order only, on cash or stamps.)

The instructions in the federal Register must be followed exactly. Do not accept any other advice you may receive. No ED employee is authorized to extend any deadline published in the Register.

Questions regarding submission of applications may be addressed to:

U.S. Department of Education  
Application Control Center Washington, DC 20202-4725

**CONTRACTS**

Competitive procurement actions undertaken by the ED are governed by



the Federal Procurement Regulation and implementing ED Procurement Regulation.

Generally, prospective competitive procurement actions are synopsized in the Commerce Business Daily (CBD). Prospective offerors are therein advised of the nature of the procurement and where to apply for copies of the Request for Proposals (RFP).

Offerors are advised to be guided solely by the contents of the CBD synopsis and the instructions contained in the RFP.

Questions regarding the submission of offers should be addressed to the Contracts Specialist identified on the face page of the RFP.

Offers are judged in competition with other, and failure to conform with any substantive requirements of the RFP will result in rejection of the offer without any consideration whatever.

Do not accept any advice you receive that is contrary to instructions contained in either the CBD synopsis or RFP. No ED employee is authorized to consider a proposal which is non-responsive to the RFP.

A subscription to the CBS is available for \$208.00 per year via second class mailing or \$261.00 per year via first class mailing. Information included in the Federal Acquisition Regulations is contained in Title 48, Code of Federal Regulations, Chapter 1 (\$49.00). The foregoing publication may be obtained by sending your check or money order only, no cash or stamps, to:

Superintendent of Documents  
U.S. Government Printing Office  
Washington, DC 20402-93

In an effort to be certain this important information is widely disseminated, this notice is being included in all ED Mail to the public. You may, therefore, receive more than one notice. If you do, we apologize for any annoyance it may cause you.  
ED Form 5548 8/92

REPLACES ED FORM 5548, 6/86 WHICH IS OBSOLETE

## **RULES AND REGULATIONS / SPECIAL NOTICES**

[In this section programs should include - when applicable - copies of their application notice (closing date notice), notice of final priorities, and final regs. We recommend that these be copies of the versions that are signed by the Secretary or designee. In other words, use the version that is circulated by DORM for interdepartmental review. Be sure you have the final draft that is signed. These versions are much easier to read than the Federal Register versions. A copy of the statute should also be included in this section. Also to be included in this section are any special notices of a page or more in length, both those relevant to the program and those generally required for all departmental programs, e.g. the OMB Notice on Section 427 of the General Education Provisions Act (GEPA)]



## **GRANT APPLICATION RECEIPT ACKNOWLEDGEMENT**

If you fail to receive the notification of application receipt within fifteen (15) days from the closing date, call:

U.S. Department of Education  
Coordination and Control Branch  
(202) 708-9495

## **EDUCATION BULLETIN BOARDS**

There is now an electronic bulletin board with information about grant and contract opportunities at the U.S. Department of Education. The bulletin board is open to public access. The official version of the documents received from any electronic bulletin board is the version that is published in the Federal Register.

**Bulletin Board Data Number**  
(202) 260-9950

Thank you for your interest in this program. The purpose of this enclosure is to inform you about a new provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Pub. L. 103-382).

#### **To Whom Does This Provision Apply?**

Section 427 of GEPA affects applicants for new discretionary grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

#### **What Does This Provision Require?**

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs.

This Section allow applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation that you may address: gender, race, national origin, color, disability, or age. Based on local circumstances, you can determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation. Your description need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

#### **What are Examples of how an Applicant Might Satisfy the Requirement of this Provision?**

The following examples may help illustrate how an applicant may comply with Section 427.

(1) An applicant that proposes to carry out an adult literacy project serving, among other, adults with limited English proficiency, might describe

in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.

(2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.

(3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach efforts to girls, to encourage their enrollment.

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

#### **Estimated Burden Statement**

The time required to complete this information collection is estimated to vary from 1 to 3 hours per response, with an average of 1.5 hours, including the time to review instructions, search existing data resources, gather and maintain the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, DC 20202-4651.



